

# SEXUAL ASSAULT SERVICES PROGRAM (SASP or SS)

## CERTIFIED ASSURANCES

### The program assures and certifies that:

1. Federal funds made available under this formula funds **will not be used to supplant** state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for sexual assault services project activities.
2. All programs receiving these funds are exempt for making match.
3. Fund accounting, auditing, monitoring, evaluation procedures, and such **records** as the Attorney General's Crime Victim Assistance Division (CVAD) shall prescribe, shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received.
  - a. It shall maintain such data and information and submit such **reports** in such form, at such times, and containing such data and information as the CVAD may reasonably require administering the program.
4. It will comply, and all its contractors and subgrantees will comply, with any applicable federal **nondiscrimination requirements**, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. §5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations). Additional information about civil rights obligation of programs and grantees can be found at <http://www.ojp.usdoj.gov/ocr/>.
5. In accordance with federal civil rights laws, the program or grantee shall not retaliate against individuals for taking action or participating in action to secure rights protected by federal civil rights laws.
6. It will comply with Iowa Code Chapter 216 as amended which governs civil rights protection in Iowa; and Iowa Code Section 8.11 regarding Minority Impact Statements; the Iowa Attorney General's Crime Victim Assistance Division rules as contained in the Iowa Administrative Code, 61 IAC Chapter 9, Section 9.50 through 9.65; and the policies of the Iowa Attorney General's Crime Victim Assistance Division.
7. It will determine whether it is required to formulate an **Equal Opportunity Program (EEOP)**, in accordance with 28 CFR 42.302 et. seq. If the program is not required to formulate an EEOP, it will submit a certification form to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), and the Iowa Attorney General's Crime Victim Assistance Division (CVAD) indicating that it is not required to develop an EEOP. If the program is required to develop an EEOP, but is not required to submit the EEOP to the OCR, the program will submit a certification form to the OCR and the CVAD certifying that it has an EEOP on file which meets the applicable requirements. If the applicant is awarded a grant of \$500,000 or more and has fifty or more employees, it will submit a copy of its EEOP to the OCR and the CVAD. Non-profit organizations,

Indian Tribes, and medical and education institutions are exempt from the EEOP requirement, but are required to submit a certification form to the OCR to claim the exemption. A copy of the certification form should also be submitted to the CVAD. Additional information regarding a grantee's EEOP requirements can be found at [http://www.ojp.usdoj.gov/about/ocr/eeop\\_comply.htm](http://www.ojp.usdoj.gov/about/ocr/eeop_comply.htm).

8. It will comply with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with the Omnibus Crime Control and Safe Streets Act of 1968 and Title VI of the Civil Rights Act of 1964, the program or grantee must take reasonable steps to ensure the LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The program is encouraged to consider the need for language services for LEP person served or encountered both in developing your budgets and in conducting your programs and activities. Additional assistance and information regarding your LEP obligations can be found at <http://www.lep.gov>.
9. In the event that a Federal or State court or Federal or State administrative agency makes a **finding of discrimination** after a due process hearing on the grounds of race, color, religion, national origin, sex, age, or disability against the program, the program will forward the findings to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), and the Iowa Attorney General's Office, Crime Victim Assistance Division (CVAD).
10. It will maintain statutorily required **civil rights statistics** on victims served by race, gender, national origin, age and disability and permit reasonable access to its books, documents, papers, and records to determine whether they are complying with applicable civil rights laws. This requirement is waived when soliciting the information may be inappropriate or offensive to the crime victim.
11. It agrees to comply with the applicable requirements of the 28 C.F.R. Part 38, the Department of Justice (DOJ) regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that the DOJ grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religion activities, but such activities must be separate in time or place from the DOJ funded program, and participation in such activities by individuals receiving services from the grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of beneficiary's religion.
12. It will create a sexual harassment policy which includes the process for filing a grievance of sexual harassment by a staff member, client, victim, or volunteer. The process shall take into consideration how to file a complaint against a supervisor, administrator or director. After the creation of the sexual harassment policy, all current staff and volunteers, as well as new staff and volunteers will sign an acknowledgement form that they have reviewed and understand the sexual harassment policy. One copy will be provided to the staff member, or volunteer and one will be kept in their personnel file.
13. It will not use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government without the express prior written approval of the OVW, in order to avoid violation of 18 USC §1913. The recipient may, however, use federal funds to collaborate with and provide information to Federal, State, local, tribal and territorial public officials and agencies to develop and implement policies to

reduce or eliminate domestic violence, dating violence, sexual assault, and stalking [as those terms are defined in 42 USC 13925(a)] when such collaboration and provision of information is consistent with the activities otherwise authorized under this funding. It will not use any federal funds for lobbying and will comply with requirements as applicable under 28 CFR Part 69 regarding New Restrictions on Lobbying.

14. It will comply with the Drug-Free Workplace Act of 1988, implemented at 28 CFR Part 67, subpart F, for programs, as defined at 28 CFR Part 67 Sections 67.615 and 67.620.
15. It will encourage adoption and enforcement of on-the-job seat belt policies and programs for its employees, contractors, and subrecipients when operating agency-owned, rented, or personally owned vehicles pursuant to 23 USC 402 and 403, and 29 USC 668.
16. It agrees to comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, and OVW's implementing regulations at 28 CFR Part 90.
17. It must be in compliance with specifications outlined in the solicitation under which the approved application was submitted. The program solicitation is hereby incorporated by reference into this award.
18. The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.
19. The Director of the Office on Violence Against Women (OVW), upon a finding that there has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, will terminate or suspend until the Director is satisfied that there is no longer such failure, all or part of the award, in accordance with the provisions of 28 CFR Part 18, as applicable mutatis mutandis.
20. It agrees that if they receive any funding that is duplicative of funding received under this grant, they will notify their OVW manager as soon as possible and a Grant Adjustment Notice (GAN) will be issued changing the budget to eliminate the duplication, and the grantee agrees and understands that any duplicative funding will be deobligated from its award and returned to OVW.
21. It will refer to the Crime Victim Assistance Division and to the Office of Inspector General (OIG) through the Department of Justice (DOJ) any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person was either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of law pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving SASP funds. Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig). Potential fraud, waste, abuse, or misconduct should be reported to the OIG by:

- Mail: Office of Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706

Washington, DC 20530

- Email: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)
- Phone: 1-800-869-4499 (contact information English and Spanish)
- Fax: 1-202-616-9881

22. All materials and publications (written, visual, or sound) resulting from the award activities shall contain the following statements: “This project was supported by subgrant No. \_\_\_\_\_ awarded by the state administering office for the SASP Formula Grant Program. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice, Office on Violence Against Women.
23. It understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ovw.usdoj.gov/grantees.html>.
24. It agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings, retreats, seminars, symposiums, trainings, and other events), including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at: <http://www.ovw.usdoj.gov/grantees.html>. It agrees to contact and receive permission from their Victim Services Support Program primary contact from the Iowa Attorney General’s Crime Victim Assistance Division prior to utilizing federal VW funds for related conference expenses.
25. It agrees to submit one copy of all reports and any other written materials or products that are funded under the project to Federal Office on Violence Against Women by submitting it to the Iowa Attorney General’s Crime Victim Assistance Division not less than 30 days prior to public release. If the written material is found to be outside the scope of the program or in some way to compromise victim safety, it will need to be revised to address these concerns or the funded program will not be allowed to use VW funds to support the further development or distribution of the materials.
26. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OVW.
27. It agrees to comply with applicable requirements regarding Central Contractor Registration (CCR) and applicable restrictions and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Violence Against Women web site at <http://www.ovw.usdoj.gov/docs/ccr-award-term.pdf>.
28. It will encourage adoption and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by these funds, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers pursuant to Executive Order 13513, “Federal Leadership on Reducing Text Messaging While Driving,” 74 Fed. Reg. 51225 (October 1, 2009).

29. It will comply with 28 CFR §66.34, in which the Office on Violence Against Women reserve a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, in whole or in part (including in the creation of derivative works), for Federal Government purposes:

- a. any work that is subject to copyright and was developed under this award, subaward, contract or subcontract pursuant to this award; and
- b. Any work that is subject to copyright for which ownership was purchased by a recipient, subrecipient or a contractor with support under this award.

In addition, the recipient (or subrecipient, contractor or subcontractor) must obtain advance written approval from the Office on Violence Against Women (OVW) program manager assigned to this award by forwarding this information to the Iowa Attorney General's Crime Victim Assistance Division, and must comply with all conditions specified by the (OVW) program manager in connection with that approval before: (1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or (2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the funded recipient (and of each subrecipient, contractor or subcontractor as applicable) to ensure that this condition is included in any subaward, contract or subcontract under this award.

22. It will comply with the financial and administrative requirements set forth in the current edition of the Office on Violence Against Women (OVW) Financial Grants Management Guide.
23. It will provide for an independent **audit** report on an annual basis as required by Office of Management and Budget (OMB) Circular A-133 and the OCFO Financial Guide. It will comply with the organizational audit requirements of OMB Circular A-133 and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of Department of Justice funds) are not satisfactory and promptly addressed as further described in the current edition of the OVW Financial Grants Management Guide and the OCFO Financial Guide.
24. Non-Federal entities that expend \$500,000 or more a year in Federal funds (from all sources including pass-through awards) in the organization fiscal year (12 month turnaround reporting period) shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133.
25. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year. Records must be kept and available for review or audit by appropriate officials including the Federal agency, State agency, and U.S. Government Accountability Office (GAO).
26. All private agencies agree to perform **an audit in accordance with Iowa Code Section 11.36** audit requirements.
27. **Due Dates for Audit Reports** Audit reports are due the earlier of thirty days after receipt of the auditors report or (9) nine months after the end of the audit period. Audits must be sent to CVAD upon completion.

28. It will comply with any additional requirements that may be imposed during the grant performance period if determined to be a high-risk grantee per Cf. 28 C.F.R. parts 66, 70.
29. No recipient of SASP funds shall use or reveal any **research or statistical information** furnished under this program by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with the SASP. Such information shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding.
30. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with **Federal money**, all programs receiving Federal funds, including but not limited to State and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the projects or program.
31. It will comply with any **additional eligibility or service criteria** established by the Crime Victim Assistance Division.
32. It will maintain client, staff, policy and procedure information and that reports shall be submitted, in the correct form, on time, and containing information as required by the Crime Victim Assistance Division.
33. It will notify the Crime Victim Assistance Division (CVAD) office **in writing, by email or through the online Programs Assistant website** within 30 days of any staffing change.
34. It will notify the Crime Victim Assistance Division (CVAD) office **in writing or via e-mail** of any VAWA- funded positions that remain vacant for 45 days or more. This notification must include reason for vacancy and plan for filling the position.
35. It will expend funds received only for the purposes and activities covered by the program's approved application and budget; and that the funds may be **suspended or terminated** at any time by the CVAD if the program fails to comply with the provisions of the certified assurances listed throughout this document.
36. It acknowledges that SASP funds may only be used for the provision of direct intervention and related assistance to victims of sexual violence, including but not limited to:
- 24-hour crisis line services;
  - medical and criminal justice/civil legal accompaniment,
  - advocacy; and
  - short term individual and group support counseling.
30. It will not utilize the SASP funds for the following unallowable activities:
- lobbying;
  - fundraising;
  - research projects;
  - purchase of real property;
  - construction;

- physical modifications to buildings, including minor renovations (such as painting or carpeting);
- sexual assault nurse examiner projects;
- criminal justice-related projects, including law enforcement, prosecution, courts, and forensic interviews;
- efforts focused on prevention efforts (e.g., bystander intervention, social norm campaigns, presentations on healthy relationships, etc.);
- projects focused on training allied professionals and/or communities; or the establishment or maintenance of Sexual Assault Response Teams; and
- providing domestic violence services that do not relate to sexual violence;

31. It will not support activities that may compromise victim safety and recovery, such as:

- pre-trial diversion programs not approved by OVW or the placement of offenders in such programs;
- procedures and policies that exclude victim from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children;
- mediation;
- couples counseling;
- family counseling or any other manner of joint victim-offender counseling;
- mandatory counseling for victims;
- penalizing victims who refuse to testify;
- promoting procedures that would require victims to seek legal sanctions against their abusers (e.g., seek a protection order, file formal complaint); or
- placement of perpetrators in anger management programs;
- crafting policies that deny individuals access to services based on their relationship to the perpetrator;
- developing materials that are not tailored to the dynamics of sexual assault or the culturally specific population to be served;
- crafting policies or engaging in practices that impose restrictive conditions to be met by the victim in order to receive services (e.g., counseling, seeking an order for protection);
- sharing confidential victim information with outside organizations and/or individuals without the documented consent of the victim; and
- crafting policies that require the victim to report the sexual assault to law enforcement.

32. It will comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, Pub. L. No. 103-322; Violence Against Women Act of 2000, Public Law 106-386; Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, Public Law 109-162, and OVW's implementing regulations at 28 CFR Part 90.

I certify that the program in this application meets all the requirements stated in these certified assurances and that all the information presented is correct, and the application will comply with the provisions of the Violence Against Women Act and all other federal laws, regulations, and guidelines. By appropriate language incorporated in each subcontract or other document under which funds are to be disbursed, the undersigned shall assure the applicable conditions above apply to all recipients of assistance.

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Program Name

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Signature of Authorized Representative

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Date

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Typed Name of Authorized Representative

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Title of Authorized Representative

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Email Address of Authorized Representative

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Telephone Number of Authorized Representative

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Program Director Signature

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Date

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Typed Name of Program Director

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Title of Program Director

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Email Address of Program Director

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Telephone Number of Program Director